

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LISETTE ECHEVARRIA LUGO	:	CIVIL ACTION
	:	No. 13-7598
v.	:	
	:	
CAROLYN W. COLVIN, Acting	:	
Commissioner of Social Security	:	

ORDER

AND NOW this 19th day of May, 2016, upon consideration of plaintiff Lisette Echevarria Lugo's brief and statement of issues in support of request for review (Dkt. No. 21), defendant's response (Dkt. No. 22), the report and recommendation of Magistrate Judge Marilyn Heffley (Dkt. No. 24), defendant's objections to the report and recommendation¹ (Dkt. No. 25), and the administrative record (Dkt. No. 12) and consistent with the accompanying memorandum of law, it is ORDERED that:

- 1) The report and recommendation is ADOPTED IN PART. It is adopted with respect to its conclusions that: (1) the ALJ did not err in Assessing Lugo's credibility; (2) the ALJ did not err in evaluating Lugo's claim regarding her need for a rolling walker; (3) the ALJ did not err in his evaluation of the opinion of psychiatric consultative examiner Dr. Thomas Schwartz; and (4) the ALJ did not err in evaluating Dr. Muvdi's fibromyalgia diagnosis;
- 2) The Court SUSTAINS defendant's second objection to the report and recommendation and therefore DECLINES TO ADOPT the report and recommendation with respect to its conclusion that remand is warranted for

¹ Plaintiff did not file a response to defendant's objections.

further review of Lugo's obesity;

- 3) Plaintiff's Request for Review is DENIED;
- 4) The decision of the Commissioner of Social Security is AFFIRMED and JUDGMENT is entered in favor of defendant Carolyn W. Colvin, Acting Commissioner of Social Security, and against plaintiff Lisette Echevarria Lugo; and
- 5) The Clerk of Court shall mark this case CLOSED.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.